



Response Under 37 C.F.R. § 1.116

Expedited Procedure

Examining Group 2826

PATENT

ATTORNEY DOCKET NO.: 046124-5064

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Hirofumi MIYAJIMA et al.) Confirmation No.: 3311
Application No.: 09/773,510) Group Art Unit: 2826
Filed: February 2, 2001) Examiner: J. Mondt
For: HEAT SINK AND SEMICONDUCTOR) MS AF
LASER APPARATUS AND)
SEMICONDUCTOR LASER STACK)
APPARATUS USING THE SAME)

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment in response to the Final Office Action dated May 16, 2003.
2. Additional papers enclosed.

Drawings: Formal Informal (Corrections)
 Request for Approval of Drawing Changes
 Information Disclosure Statement
 Form PTO-1449, ___ references included
 Citations
 Declaration of Biological Deposit
 Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Applicants petition for an extension of time, the fees for which are set out in 37 CFR 1.17(a)-(d), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 420.00	\$210.00
<input checked="" type="checkbox"/> three months	\$ 950.00	\$475.00
<input type="checkbox"/> four months	\$1,480.00	\$740.00

If an additional extension of time is required, please consider this a Petition therefor.

An extension for __ months has already been secured and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C F R § 1.136(a)(3)

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	9	Minus	20	0	x \$18 each=	+\$ 0.00
Independent Claims (37 C.F.R. §1.16(b))	2	Minus	3	0	x \$86 each=	+\$ 0.00
[] First presentation of Multiple dependent claim(s)					\$290.00	+\$
						SUB-TOTAL = \$ 0.00
						Reduction by 1/2 for filing by a small entity - \$
						TOTAL FEE = \$ 0.00

6. Fee Payment

[] No fee is to be paid at this time.

[X] Please charge \$950.00 for the three month extension of time fee to our Deposit Account No. 50-0310.

[X] The Commissioner is hereby authorized to charge any fees including fees due under 37 CFR §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: November 13, 2003

By:


Donald L. Monin, Jr.

Reg. No. 47,256

CUSTOMER NO.: 009629

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